

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

DEC - 9 2013

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY W, DEPUTY

JOSE L. HERNANDEZ, as Special)
Administrator of the Estates of)
JOSE L. HERNANDEZ, JR., deceased,)
and SALVADOR HERNANDEZ,)
deceased,)

Plaintiff,)

vs.)

ETHEL COOPER et al.,)

Defendants.)

No. CIV-10-915-W

JOSE L. HERNANDEZ, as Special)
Administrator of the Estates of)
JOSE L. HERNANDEZ, JR., deceased,)
and SALVADOR HERNANDEZ,)
deceased,)

Plaintiff,)

vs.)

ROADSAFE TRAFFIC SYSTEMS, INC.,)
et al.,)

Defendants.)

No. CIV-11-1277-W

ORDER

On December 5, 2013, the United States Court of Appeals for the Tenth Circuit issued its mandate in these consolidated matters and remanded for further proceedings in accordance with the appellate court's opinion dated November 13, 2013.

Accordingly, the Court

(1) VACATES the Orders entered on August 6, 2012, see Doc. 120, No. CIV-10-915-W; Doc. 29, No. CIV-11-1277-W, administratively closing these cases as well as its

Order entered on July 17, 2012, see Doc. 108, No. CIV-10-915-W, denying the Motion to Dismiss Plaintiff's Second Amended Complaint, see Doc. 94, No. CIV-10-915-W, filed by defendant Gary Ridley and its Order entered on July 19, 2012, see Doc. 109, No. CIV-10-915-W, but only to the extent the Court found defendant Taylor Henderson was not entitled to dismissal;

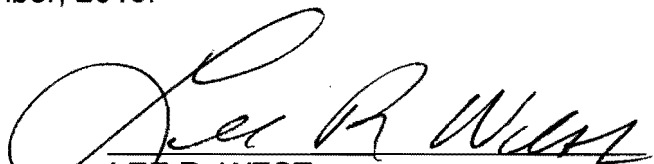
(2) GRANTS Ridley's Motion to Dismiss Plaintiff's Second Amended Complaint [Doc. 94, No. CIV-10-915-W] filed on May 16, 2012;

(3) likewise GRANTS the Motion to Dismiss Plaintiff's Second Amended Complaint [Doc. 100, No. CIV-10-915-W] filed on June 13, 2013, but only to the extent it pertains to Henderson;

(4) DISMISSES the plaintiff's claims against Ridley and Henderson in No. CIV-10-915-W pursuant to the circuit court's determination that these defendants are qualifiedly immune from civil damages; and

(5) ADVISES the parties that these matters will be set for status conference in February 2014 and that they will be notified of the date and time of the conference by published docket.

ENTERED this 9th day of December, 2013.


LEE R. WEST
UNITED STATES DISTRICT JUDGE